

**Before The
Postal Regulatory Commission
Washington, DC 20268**

**Postal Regulatory Commission
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In the Matter of: Fernandina Beach Downtown Post Office, FL 32035

Postal Regulatory Commission Docket No. A2013-7

Postal Service Docket No. 1363326 - 32034

Petitioner's Opposition to Postal Service's Notice of Filing Errata (September 10, 2013)

Petitioner:

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September 16, 2013

The Petitioner respectfully requests that the Postal Regulatory Commission deny the Postal Service's Notice of Filing Errata.

The Postal Service's Notice of Filing Errata on September 10, 2013, states that the Final Determination filed in the Administrative Record on August 9, 2013 "was an earlier draft" and that the errata filing contains the Final Determination posted in the Fernandina Beach Downtown Post Office. The Petitioner does not agree with these assertions by the Postal Service, and requests that the Commission exclude the errata filing from the Administrative Record based on the following grounds:

1. Petitioner relied on the information presented in the Final Determination posted in the Post Office lobby when formulating the original Appeal, and the information presented in the Administrative Record Final Determination when formulating the Initial Brief. Now there appears to be a third version of the Final Determination that is different from the other two versions. On what is the Petitioner expected to rely in order to make appropriate arguments in this matter?
2. The purported "draft" version of the Final Determination has a signature. If only a "draft", why would it be signed? Even if signed via electronic signature, why is an electronic signature applied to a draft document?
3. The purported "draft" version of the Final Determination (Item Nbr: 36) oddly carries an identical postal stamp page to that of the errata filing version (Item No. 35A). In the August 9th Administrative Record filing, the postal stamp page was included at the end of the document as page 14, even though it was denoted as Page Nbr: 1. How can this one page be identical to the errata filing version, while the rest of the content differs? To add to this confusion, neither of these postal stamp pages matches the version actually posted in the Post Office lobby.
4. The version of the Final Determination actually posted in the Post Office lobby carries a last page not seen in either of the Administrative Record or the filing errata versions. It is a contact information page that gives contact information for Alice Ryle, the Post Office Review Coordinator. This makes the Final Determination an 8 page document rather than just 7 pages.

5. In the Administrative Record filing on August 9th, Item Nbr: 33, Page Nbr: 1 is a memorandum dated June 17, 2013 from Edward F. Phelan, Jr. to the District Manager in Jacksonville, FL, with Attention to the Post Office Review Coordinator. In the memorandum Mr. Phelan states that “The final determination to discontinue the subject Post Office is enclosed ... “. The memorandum also goes into detail about how to post the final determination. How can the Final Determination filed in the errata (Item No. 35A) be the valid Final Determination document when it was signed on July 3rd, over 2 weeks after the memorandum dated June 17th was sent by Mr. Phelan?
6. The Postal Service has missed several deadlines for filing the Administrative Record. Is this the last filing, or is more to come?
7. I question the reliability of the current Administrative Record submitted by the Postal Service. The most important document to the record is the Final Determination, yet we appear to have at least 3 versions floating around. How do we know all the other documents in the record are the correct and complete versions given the admitted errors and confusion created by the Postal Service with the Final Determination? We also know there are inconsistencies and factual misrepresentations in other documents presented in the record. How can we rely on any of the information presented in this matter?

In my opinion, the Postal service is requesting a “do over” with regard to the Final Determination. I think the Commission should grant the Postal Service’s request for a “do over”, but apply it to the very beginning of this whole closing procedure. Stop the current closing. Remand the matter all the way back to the beginning in October 2011, and require the Postal Service to post a new public meeting notice to gather feedback from the community on the proposal to close the Fernandina Beach Downtown Post Office. This would provide the Postal Service the opportunity to create an accurate, complete, and reliable Administrative Record. Or, perhaps allow the Postal Service to review all the community feedback and corrected facts, and potentially come to a different conclusion and determination all together.

Petitioner respectfully requests that the Postal Regulatory Commission not accept the Postal Service’s Notice of Filing Errata, and exclude the Notice of Filing Errata from the Administrative Record.

Thank you for considering this request.

Respectfully,

David A. Granger

Patron of Fernandina Beach Downtown Post Office